

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

GREG DUNIGAN,

Plaintiff,

vs.

FRDC AND CMS MEDICAL, et al.,

Defendant.

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Case No. 2:07CV8 JCH

ORDER

This matter is before the Court on Plaintiff's Application for Appointment of Counsel, filed May 11, 2007. (Doc. No. 28). There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief, whether the plaintiff will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering Plaintiff's Application for Appointment of Counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Greg Dunigan indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Plaintiff's Application for Appointment of Counsel will therefore be denied.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application for Appointment of Counsel (Doc. No. 28) is **DENIED**.

Dated this 16th day of May, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE